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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/789,067  | 02/26/2004  | Jere F. Irwin        | IR3-052             | 9563             |
| 21567   | 7590        | 08/11/2006           | EXAMINER            |                  |
| WELLS ST. JOHN P.S.<br>601 W. FIRST AVENUE, SUITE 1300<br>SPOKANE, WA 99201 |             |                      | CHOI, STEPHEN       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3724                |                  |

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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|---------------------------------|-------------|---|---------------------|

10-789-067

EXAMINER

ART UNIT

PAPER

20060806A

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

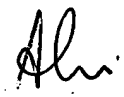
**Commissioner for Patents**

1. This application is in condition for allowance except for the presence of claims 35-40 directed to an invention non-elected by original presentation. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue. The prosecution of this case is closed except for consideration of the above matter. See attached Examiner's Interview Summary.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Choi whose telephone number is 571-272-4504. The examiner can normally be reached on Monday-Thursday 9:00-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sc

6 August 2006

  
**STEPHEN CHOI**  
**PRIMARY EXAMINER**